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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,151	02/27/2004	James Gerald Nugent		4610

7590 05/04/2005  
James G. Nugent  
8419 Blakiston Lane  
Alexandria, VA 22308

EXAMINER

LE, DAVID D

ART UNIT PAPER NUMBER

3681

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/787,151	Applicant(s) NUGENT, JAMES GERALD	
	Examiner David D. Le	Art Unit 3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This is the first Office action on the merits of Application No. 10/787,151, filed on 27 February 2004. Claims 1-6 are pending.

#### *Specification*

2. The disclosure is objected to because of the following informalities:

*Pages 4-5 of the specification, under subtitle DRAWINGS:*

- Reference number 2 is used to designate an I beam;
- Reference number 6 is used to designate a low ring;
- Reference number 7 is used to designate a central ring;
- Reference number 8 is used to designate a high ring; and
- Reference number 14 is used to designate a wheel;

*Pages 5-6 of the specification, under subtitle DESCRIPTION OF INVENTION:*

- Reference number 2 is used to designate a control arm;
- Reference number 6 is used to designate a back clutch control cam;
- Reference number 7 is used to designate several central clutch control cams;
- Reference number 8 is used to designate a front clutch control cam; and
- Reference number 14 is used to designate rollers;

To avoid possible confusions, examiner suggests choosing one appropriate term for each of those reference numbers and maintaining it through out the entire specification. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

**Claims 1-6:**

The instant specification does not adequately disclose, support, and/or define the claimed elements as recited in the present claims. More specifically, the specification does not sufficiently define claimed limitations such as an input power source, a plurality of torque transmitting means, a control means, a locking assembly, a clutched means, a clutch control means, and a clutching means. It is not clear what each of those mentioned claimed elements is consist of and how they are being arranged/constructed and operated together as an assembly. Furthermore, claim 1 recites, in part, "as said output torque transmitting means rotates through a cycle of 360 degrees, said locking means engages

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successive input torque transmitting means, and at least one of said locking means maintains mechanical communication with both input and output at all times during a complete cycle of output torque transmitting means” and claim 2 recites, in part, “as said clutching means rotates through a cycle of 360 degrees, said clutching means engages successive cams along said clutch control means, and at least one of said clutches maintains mechanical communication with clutched means at all times during a complete cycle of clutching means.” The specification does not appear to provide support for those mentioned limitations. Accordingly, the present specification does not enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

### ***Conclusion***

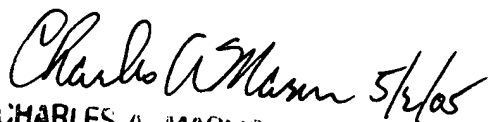
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Le whose telephone number is 571-272-7092. The examiner can normally be reached on Mon-Fri (0700-1530).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ddl

  
CHARLES A. MARMOUH  
SUPERVISORY PATENT EXAMINER  
ART 3681